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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

22 TISSUE REGENERATION
23 TECHNOLOGIES, LLC and GENERAL
24 PATENT, LLC

25 Plaintiffs,

26 vs.

27 MALE PERFORMANCE MEDICAL
28 PARTNERSHIP, LLC; MEDICAL
PARTNERSHIP, LLC; R. BAXTER
TEEGARDEN; LEONARD MESSINA;
RICHARD NEISWONGER a/k/a RICK
CHARLES; LAS VEGAS MALE
PERFORMANCE CLINIC; and PEAK
HEALTH GROUP LV LLC,

29 Defendants.

30 Case No.: 2:18-cv-01914-RFB-GWF

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1 file and serve their answer or other responses to the Amended Complaint from the current
2 deadline of June 28, 2019, up to and including September 3, 2019.

3 Good cause for this request exists to provide the parties with time to continue in good faith
4 settlement discussions, particularly regarding issues of non-infringement, patent validity, and
5 alleged false advertising.

6 On December 19, 2018, former counsel for the Messina Defendants notified the Court that
7 they had been terminated and moved to withdraw as counsel. See ECF No. 17 (Howard & Howard
8 Attorneys PLLC and Jonathan W. Fountain's Motion to Withdraw as Counsel). On or about
9 January 3, 2019, the undersigned counsel for the Messina Defendants agreed to be retained on the
10 representations of the undersigned counsel for Plaintiffs that Plaintiffs would agree to the prior
11 order to permit the newly retained counsel for the Messina Defendants time to assess the case
12 before having to respond to the Complaint. Subsequent to that extension, the undersigned counsel
13 for the Messina Defendants commenced discussions with Plaintiffs' counsel to explore the
14 potential to resolve the matter, to wit, by means of an extensive, written analysis of the non-
15 infringement, patent validity and alleged false advertising issues in the case.

16 On March 7, 2019, the Court granted the parties' request to extend the deadline for
17 Defendants to respond to permit Plaintiffs' counsel to engage in discussions with subject matter
18 experts on issues related to the patents prior to requiring Defendants to answer or respond. See
19 ECF No. 27. While this was only the first extension since the Messina Defendants' retention of
20 their current counsel, it was the fourth request from the commencement of the action. The purpose
21 of that extension was to provide a window for the parties to continue settlement discussions. *Id.*

22 On March 27, 2019, the parties requested an additional extension to afford Plaintiffs
23 additional time to conclude discussions with subject matter experts and follow-up with counsel
24 for Defendants. That occurred, but at a date too near the deadline to permit Defendants to assess
25 the same or for the parties to otherwise conclude negotiations.

26 On April 25, 2019, the parties again requested an additional extension through June 14,
27 2019 to allow time for the Defendants to answer or otherwise respond to the complaint to permit
28 Defendants to consult with their counsel on Plaintiffs' proposal and to thereafter continue to

1 engage in efforts to assess whether a resolution of the dispute could be achieved. See ECF No. 31.
2 The additional time resulted in a further substantive analysis by Defendants, which Plaintiffs are
3 now considering. In the course of such consideration, on May 17, 2019, Plaintiffs filed their First
4 Amended Complaint. See ECF No. 32.

5 At the time of the June 14, 2019 deadline, the parties realized more time would be
6 required, but Plaintiffs' counsel was unable to obtain timely authorization of an extended deadline
7 and, consequently, agreed to a brief extension of the deadline for Defendants to answer or
8 otherwise respond to the Amended Complaint through June 28, 2019, which the Court "so
9 ordered" on June 17, 2019. See ECF No. 36. The parties now agree to an extended deadline
10 through September 3, 2019 with the expectation that they will be able to resolve the case within
11 this time period.

12 For the foregoing reason, the parties hereby stipulate to extend the deadline for the
13 Messina Defendants to answer or otherwise respond to the Amended Complaint from **June 28,**
14 **2019 to September 3, 2019.**

15 **IT IS SO AGREED AND STIPULATED.**

16 DATED this 21st day of June, 2019.

DATED this 21st day of June, 2019.

17 LAW OFFICES OF PHILIP A. KANTOR, P.C.

WEIDE & MILLER, LTD.

18 By:s/ Philip A. Kantor

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20 **IT IS SO ORDERED.**

21 
UNITED STATES MAGISTRATE JUDGE

22 DATED: June 24, 2019